

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FRANCISCO BENITEZ,

Plaintiff,

V.

INTERNATIONAL PAPER
COMPANY,

Defendant.

NO. EP-06-CV-00383-DB

JOINT MOTION TO DISMISS

Plaintiff and Defendant jointly move the Court for an order dismissing this action in its entirety with prejudice and in support thereof show the following:

1. The parties have reached a mutually satisfactory compromise resolving all issues in this matter. A Settlement Agreement and General Release has been knowingly and voluntarily executed by the parties. The parties are responsible for their own costs.

2. No further controversy remains between the parties requiring resolution by the Court.

ACCORDINGLY, the parties jointly move the Court for an Order dismissing this action with prejudice.

Respectfully submitted,

By: 

PERRY PINON
State Bar No. 16016350
Attorney at Law
1312 Montana Avenue
El Paso, Texas 79902
(915) 546-9190
(915) 546-9192 FAX

Attorney for Plaintiff

NANCY JOAN BRIDE
International Paper Company
6400 Poplar Avenue
Memphis, Tennessee 38197
(901) 419-3923
(901) 419-3854 Facsimile

AND

KEMP SMITH LLP
221 North Kansas Street, Suite 1900
El Paso, Texas 79901
(915) 533-4424
(915) 546-5360 (FAX)

By: 

CHARLES C. HIGH, JR.
State Bar No. 09605000

Attorneys for Defendant

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ORDER OF DISMISSAL WITH PREJUDICE

The Court, having considered the parties' Joint Motion to Dismiss, is of the opinion that the same is well taken and that the following Order shall be entered:

IT IS ORDERED, ADJUDGED, AND DECREED that the above-captioned matter is dismissed with prejudice, with the parties being responsible for their own costs.

SIGNED this _____ day of _____, 2007.

HONORABLE DAVID BRIONES
UNITED STATES DISTRICT JUDGE